

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DISPLAY TECHNOLOGIES, LLC,	§	
	§	
Plaintiff,	§	Case No:
	§	
vs.	§	PATENT CASE
	§	
LEANTEGRA, INC.,	§	
	§	
Defendant.	§	
_____	§	

COMPLAINT

Plaintiff Display Technologies, LLC (“Plaintiff” or “Display”) files this Complaint against Leantegra, Inc. (“Defendant” or “Leantegra”) for infringement of United States Patent No. 9,300,723 (the “ ‘723 Patent”).

PARTIES AND JURISDICTION

1. This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3. Plaintiff is a Texas limited liability company with a place of business at 1801 NE 123rd Street, Suite 314, North Miami, FL 33161.

4. On information and belief, Defendant is a Delaware corporation with a place of business at 205 East 42nd Street, 20th Floor, New York, NY, 10017. On information and belief, Defendant may be served through its registered agent, The Company Corporation, 251 Little Falls Drive, Wilmington, DE 19808.

5. This Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6. Upon information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

VENUE

7. On information and belief, venue is proper in this District under 28 U.S.C. § 1400(b) because Defendant is deemed to be a resident of this District. Alternatively, acts of infringement are occurring in this District and Defendant has a regular and established place of business in this District.

COUNT I **(INFRINGEMENT OF UNITED STATES PATENT NO. 9,300,723)**

8. Plaintiff incorporates paragraphs 1 through 7 herein by reference.

9. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, *et seq.*

10. Plaintiff is the owner by assignment of the '723 Patent with sole rights to enforce the '723 Patent and sue infringers.

11. A copy of the '723 Patent, titled "Enabling social interactive wireless communications," is attached hereto as Exhibit A.

12. The '723 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13. Defendant has infringed and continues to infringe one or more claims, including at least Claim 1 of the '723 Patent by making, using, and/or selling media systems covered by

one or more claims of the ‘723 Patent. For example, Defendant makes, uses, and/or sells the Leantegra Proximity marketing system, and any similar products (“Product”). Defendant has infringed and continues to infringe the ‘723 Patent in violation of 35 U.S.C. § 271.

14. Regarding Claim 1, the Product is configured for customers to receive a media file (e.g. notification or offer) by a media terminal (e.g. smartphone) from a media node (e.g. cloud server) over a communication network (e.g. cloud network) through a communication link. Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.

SCREENSHOT 1



Proximity Marketing

Engage the right audience at the right place and the right time.



Leantegra Proximity Marketing

Go beyond BLE beacons and location-based advertising with our extended targeting rules, advanced Proximity Campaigns and fine-grained analytics. Target by proximity zones, dwell time, user profiles and CRM data.

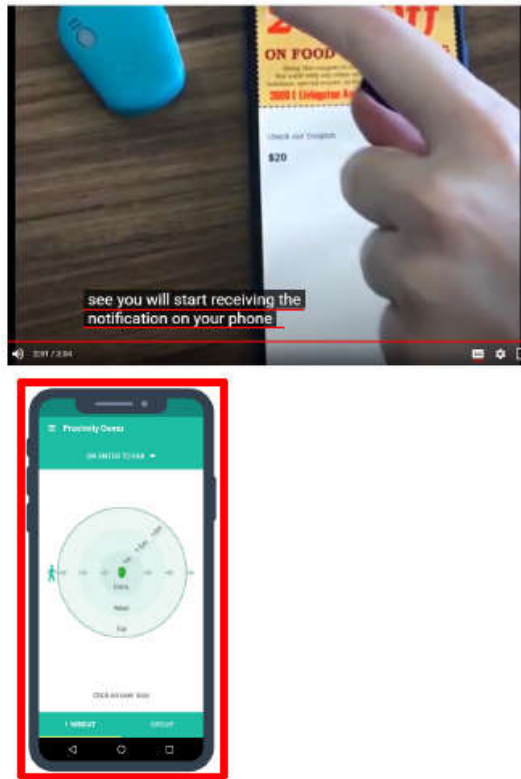
Enable iBeacon, Eddystone or hybrid iBeacon-Eddystone protocols for the best possible coverage of smartphone models - with or without mobile apps.



Source: <https://leantegra.com/proximity-marketing/#elementor-action%3Aaction%3Dpopup%3Aopen%20settings%3DeyJpZCI6IjYNTUjLCj0b2dnbGUjOmZhbnHNlQ%3D%3D>
 Source: <https://leantegra.com/beacons-and-tags/>
 Source: https://www.slideshare.net/JuliaIlyuhina/shopping-malls-79449322?next_slideshow=1

15. The Product includes at least one media terminal in an accessible relation to at least one interactive computer network. For example, the Product provides for a smartphone (at least one media terminal) to detect a cloud network when in range of signals from beacons.

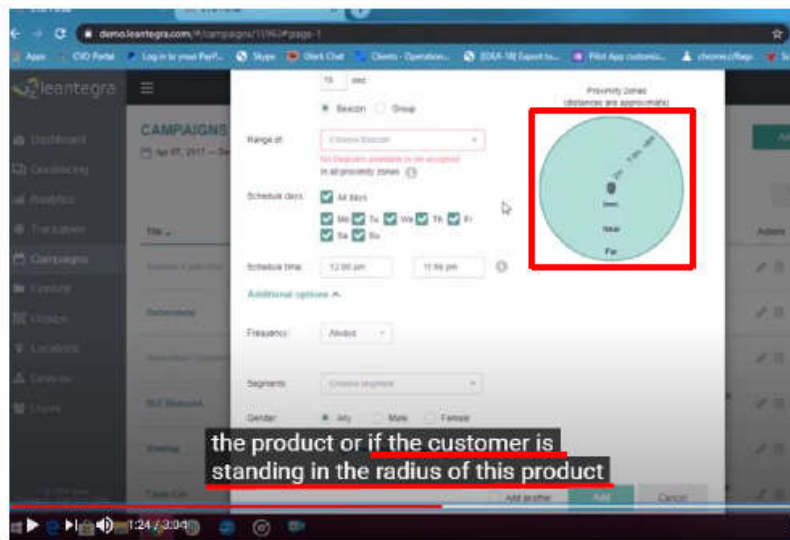
Certain aspects of this element are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.



Source: <https://www.youtube.com/watch?v=KHGmbLeYkx0>

Source: <https://leantegra.com/proximity-marketing/#elementor-action%3Aaction%3Dpopup%3Aopen%20settings%3DeyJpZCI6IjYNTUUiLCJ0b2dnbGUrOmZhbnHN1fQ%3D%3D>

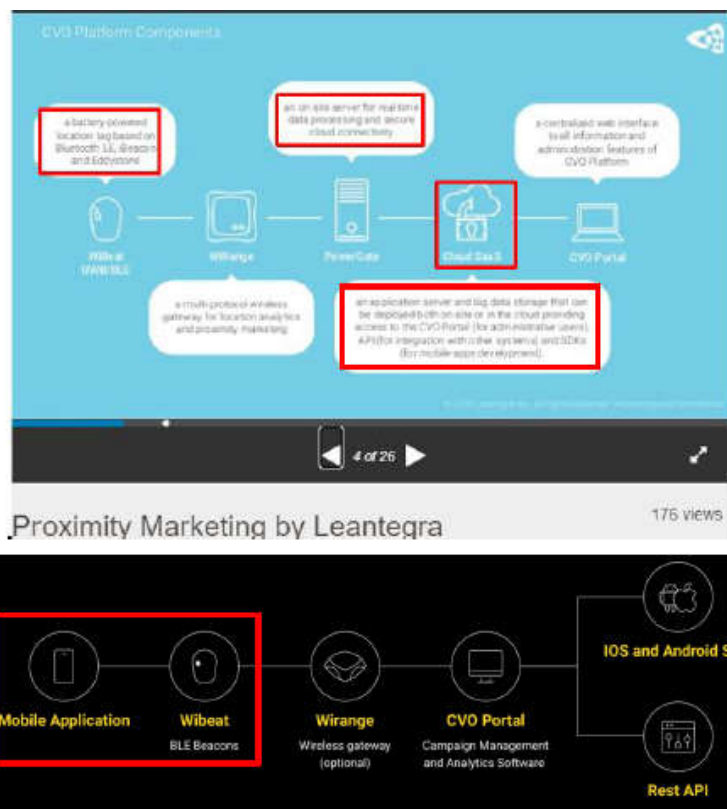
16. The Product includes a wireless range structured to permit authorized access to said at least one interactive computer network. For example, when the smartphone is in wireless range of the beacons, connection of smartphone with the cloud server is permitted through a cloud connection (interactive computer network). Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.



Source: <https://www.youtube.com/watch?v=KHGmbLeYkx0>

Source: <https://leantegra.com/proximity-marketing/#elementor-action%3Aaction%3Dpopup%3Aopen%20settings%3DevJpZCI6IjIyNTUiLCJ0b2dnbGUzOmZhbHNlfQ%3D%3D>

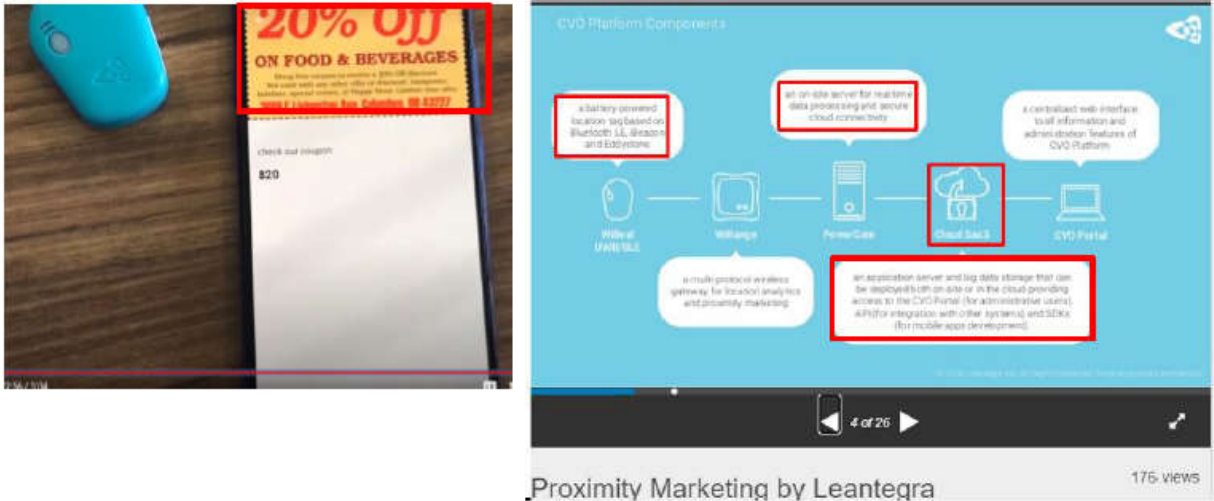
17. The Product includes at least one media node disposable within said wireless range, wherein said at least one media node is detectable by said at least one media terminal. For example, the media node (beacons and/or cloud server) send out continuous signals which are detected by an app residing on the smartphone (at least one media terminal). Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.



Source: https://www.slideshare.net/JuliaIlyuhina/shopping-malls-79449322?next_slideshow=1

Source: <https://leantegra.com/proximity-marketing/#elementor-action%3Aaction%3Dpopup%3Aopen%20settings%3DeyJpZCI6IjYNTUwLCJ0b2dnbGUwOmZhbnHNlfiQ%3D%3D>

18. The Product includes at least one digital media file initially disposed on at least one of said at least one media terminal or said at least one media node, said at least one media terminal being structured to detect said at least one media node disposed within said wireless range. For example, marketers can store promotional information within the server (media node) which is pushed to the media terminal (smartphone) when the app residing within the smartphone (media terminal) detects the network through the beacons. Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.



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Source: https://www.slideshare.net/JuliaIlyuhina/shopping-malls-79449322?next_slideshow=1

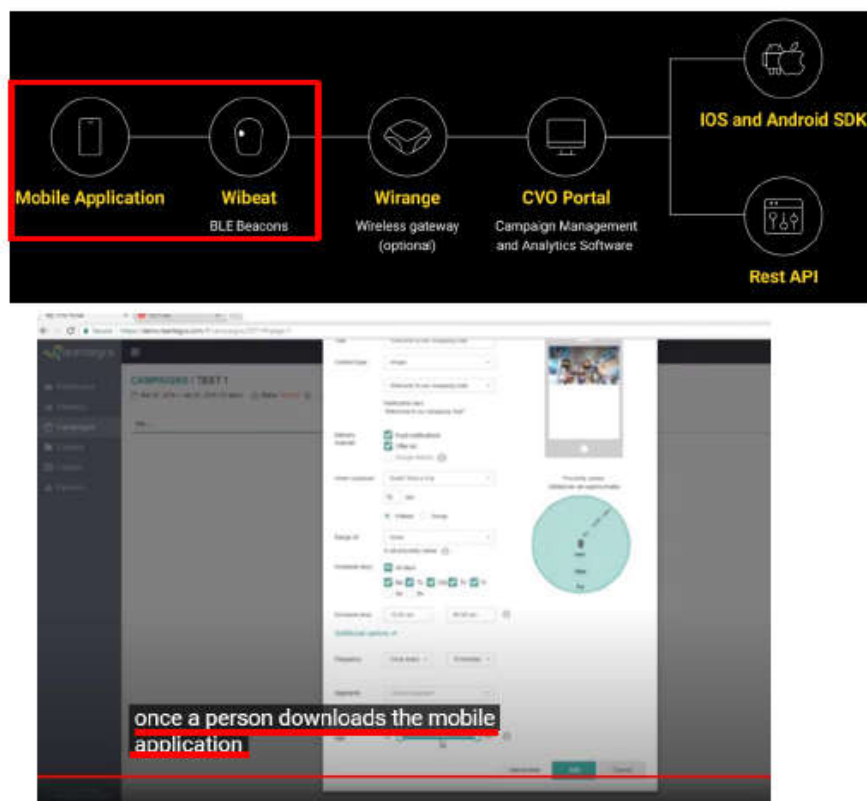
19. The Product includes a communication link structured to dispose said at least one media terminal and said at least one media node in a communicative relation with one another via said at least one interactive computer network. For example, the smartphone (media terminal) detects the presence of a beacon and connects to a cloud server (i.e. media node) through cloud network (interactive computer network). Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.



Source: https://www.slideshare.net/JuliaIlyuhina/shopping-malls-79449322?next_slideshow=1

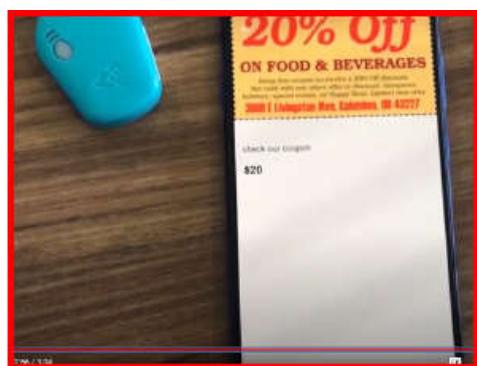
Source: <https://leantegra.com/proximity-marketing/#elementor-action%3Aaction%3Dpopup%3Aopen%20settings%3DeyJpZCI6IjYNTUjLCJ0b2dnbGUjOmZhbHN1fQ%3D%3D>

20. The communication link is initiated by said at least one media terminal. For example, the cloud connection (communication link) is initiated by the smartphone (media terminal) when the app detects the beacon signal. Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.



Source: <https://leantegra.com/proximity-marketing/#elementor-action%3Aaction%3Dpopup%3Aopen%20settings%3DeyJpZCI6IjlyNTU1LCJ0b2dnbGU0OmZhbnHNlfiQ%3D%3D>
 Source: <https://www.youtube.com/watch?v=e6goJJEAEcY>

21. The at least one media node and said at least one media terminal are structured to transmit said at least one digital media file therebetween via said communication link. For example, when the merchant terminal (media node) detects a smartphone (media terminal), the merchant can target users by transmitting ads, notifications, etc. (digital media file) to be displayed on the smartphone (media terminal). Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.



Source: <https://www.youtube.com/watch?v=KHGmbLeYkx0>

Source: <https://leantegra.com/proximity-marketing/#elementor-action%3Aaction%3Dpopup%3Aopen%20settings%3DeyJpZCI6IjYNTUjLCJ0b2dnbGUjOmZhbnHNiQ%3D%3D>

22. The communication link is structured to bypass at least one media terminal security measure for a limited permissible use of the communication link by the media node to only transferring the at least one digital media file to, and displaying the at least one digital media file on, the at least one media terminal. For example, the communication link (cloud communication) is structured in such a way that whenever a smartphone (media terminal) passes within the wireless range of a beacon, the beacon will trigger the notifications (digital media file) through the network to the smartphone (bypassing the security measure of media terminal i.e. notifications can be transmitted to the media terminal). Further, notifications or ads (digital file) can be displayed on screen of smartphone (media terminal). Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.

How it Works

FOR SCENARIOS WITHOUT A PRE-INSTALLED MOBILE APP

1

Google's Eddystone-URL

Eddystone is a BLE beacon protocol that defines format for proximity notifications.

It transfers the Eddystone-URL packet, a notification with a link, to any individual who passes by the beacon with a Chrome browser app on their Android or iOS mobile device.

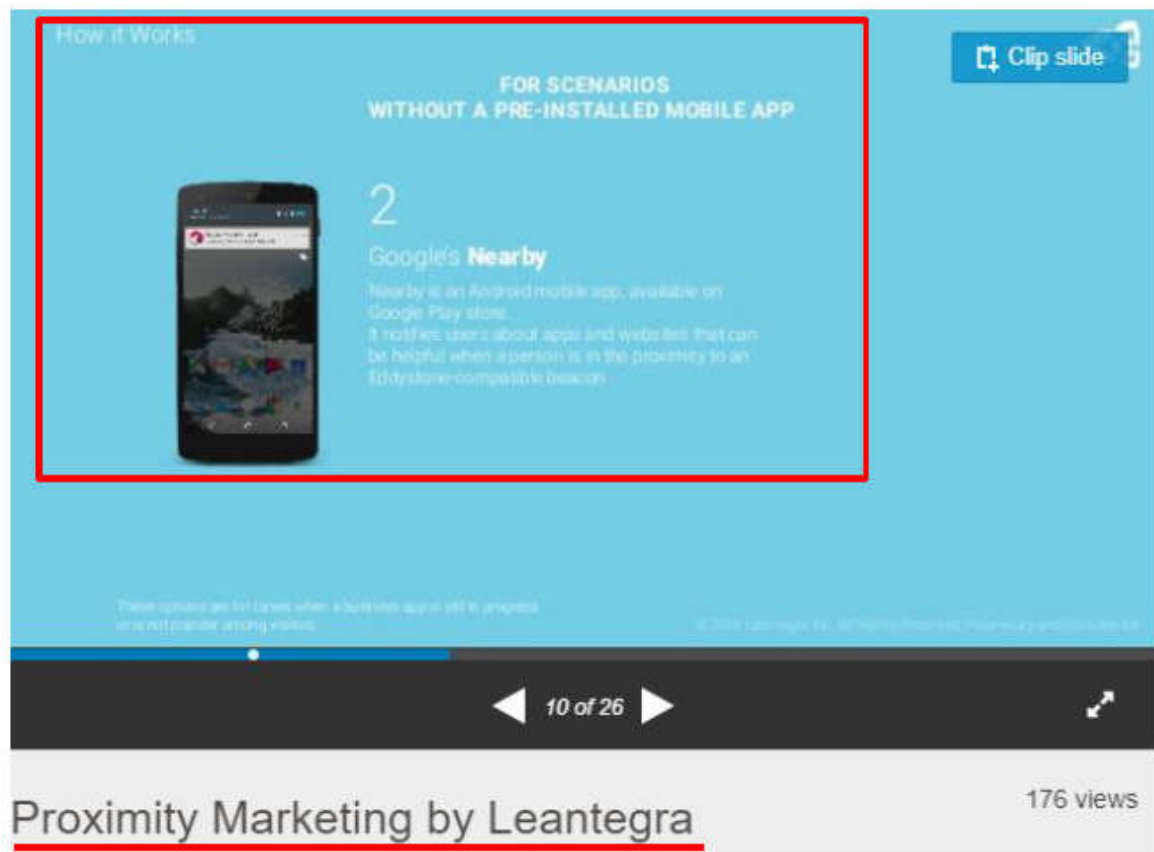
These options are for cases when a business app is still in progress or is not popular among visitors.

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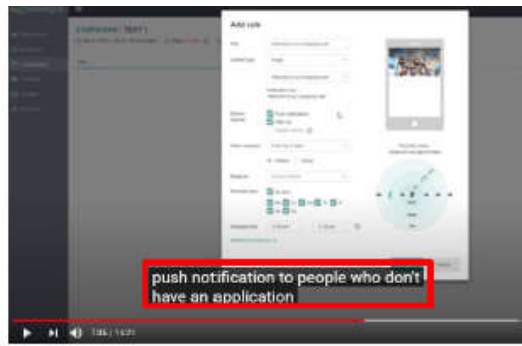
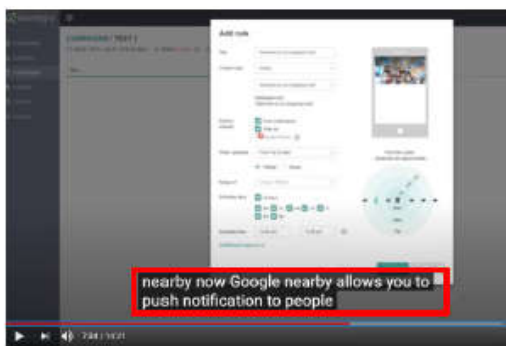
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Proximity Marketing by Leantegra

176 views



Source: <https://www.slideshare.net/JuliaIlyuhina/proximity-marketing-by-leantegra-76052992>



Source: <https://www.youtube.com/watch?v=e6goJJEAEcY>

Source: <https://www.slideshare.net/JuliaIlyuhina/proximity-marketing-by-leantegra-76052992>

23. Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

24. Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

25. Plaintiff is in compliance with 35 U.S.C. § 287.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff asks the Court to:

(a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b) Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice of the order from further infringement of United States Patent No. 9,300,723 (or, in the alternative, awarding Plaintiff running royalties from the time of judgment going forward);

(c) Award Plaintiff damages resulting from Defendant's infringement in accordance with 35 U.S.C. § 284;

(d) Award Plaintiff pre-judgment and post-judgment interest and costs; and

(e) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: September 22, 2020

Respectfully submitted,

/s/ Jay Johnson

JAY JOHNSON

State Bar No. 24067322

KIZZIA JOHNSON, PLLC

1910 Pacific Ave., Suite 13000

Dallas, Texas 75201

(214) 451-0164

Fax: (214) 451-0165

jay@kjpllc.com

bkizzia@kjpllc.com

ATTORNEYS FOR PLAINTIFF